

REMARKS

Claims 1-26 are pending. Independent claims 1 and 12 have been amended.

In paragraph 2 of the Office Action, claims 1-26 were rejected under 35 USC 101 as being directed to non-statutory subject matter.

Independent claims 1 and 12 have been amended to recite that the steps are performed “automatically, via a computer”. A computer is statutory subject matter, thus, claims 1-26 recite statutory subject matter.

Withdrawal of the rejection of claims 1-26 under 35 USC 101 is requested.

In paragraph 4 of the Office Action, claims 1-26 were rejected under 35 USC 102(b) as being unpatentable over U.S. Patent No. 5,953,707 (Huang).

Claim 1 relates to a method of facilitating trading among a set of processes. A computer operates at least one of the processes according to an order processing methodology by

- (a) retrieving a decision table having at least two rules specifying at least one of a discovery strategy and an order handling strategy, each rule having at least one condition and at least one action to be taken when the condition is satisfied, and
- (b) automatically evaluating whether the at least one condition for each of the rules is satisfied.

For each of the rules having a satisfied condition, the computer configures the at least one process to act on the at least one action.

Support for claim 1 may be found in the specification at pages 28, 48-51 and 59-60, and in Fig. 25.

Huang is directed to a decision support system for managing a supply chain whose elements are shown in Fig. 5 of Huang. Huang is not concerned with trading among a set of processes, and fails to show or suggest a discovery strategy and an order handling strategy represented as parts of rules in a decision table, as specifically recited in claim 1, and further fails to show or suggest evaluating the rules and acting according to the rules, as specifically recited in claim 1.

Thus, claim 1 is not anticipated by Huang. Claims 2-11, in depending from claim 1, incorporate all of its features and each of these claims is similarly patentably distinguishable from Huang.

Claim 12 relates to a method of facilitating trading. A computer retrieves, at an order handling process, a decision table representing an order processing methodology, the decision table having at least two rules specifying at least one of a discovery strategy and an order handling strategy, each rule having at least one condition and at least one action to be taken when the condition is satisfied, and the computer applies, at the order handling process, the decision table to process an order when a specified event occurs.

Huang fails to show or suggest the decision table recited in claim 12 having rules representing a discovery strategy and an order handling strategy, and consequently fails to show or suggest applying the decision table of claim 12 to process an order.

Thus, claim 12 is not anticipated by Huang. Claims 13-26, in depending from claim 12, incorporate all of its features and each of these claims is similarly patentably distinguishable from Huang.

Withdrawal of the rejection of claims 1-26 under 35 USC 102(b) is requested.

The Examiner is encouraged to call the undersigned to discuss any issues with this application. A Notice of Allowance is solicited.

Respectfully submitted,

Date: November 19, 2004

Brenda Pomerance

Brenda Pomerance
Reg. No. 36,894

Law Office of Brenda Pomerance
260 West 52 Street Ste. 27B
New York, NY 10019
voice 212 245-3940